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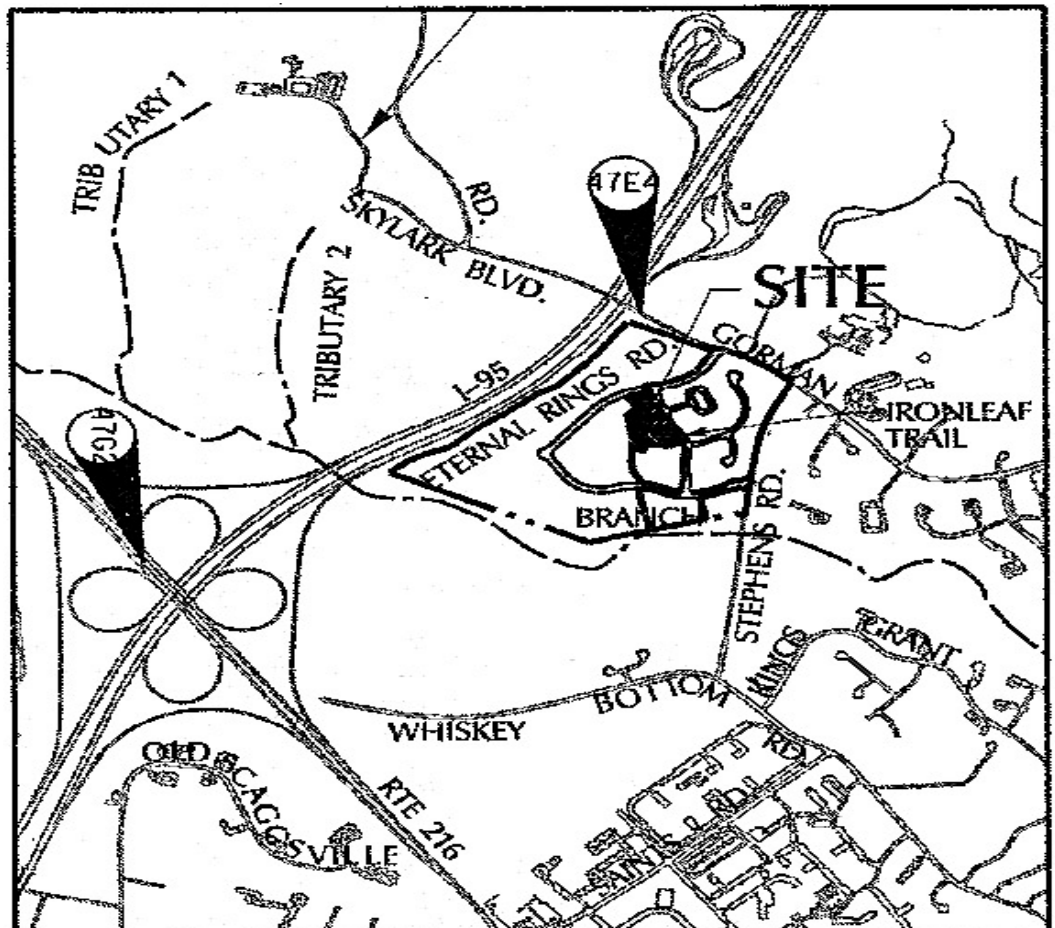
TECHNICAL STAFF REPORT
EMERSON
Planning Board Meeting of February 8, 2007

File No./Petitioner: SDP-06-113, Columbia Builders, Inc.

Project Name: Emerson, Section 2, Area 7, Bulk Parcel A, SFA Units 1 thru 40

Request: The request is for approval of a site development plan (SDP) for the construction of 40 single family attached (SFA) dwellings and other related site improvements in accordance with Section 127.F.1 of the Howard County Zoning Regulations. The Planning Board reserved the authority to review and approve site development plans for "Single Family Attached" and "Other Residential" land use development for the Emerson project when structures deviate from the required minimum setbacks in accordance with the Development Criteria approved under PB Case No. 339. The project area for this SDP is approximately 4.32 acres of the 516.9 acre total tract area for the Emerson project and is zoned "MXD-3" (Mixed Use Development).

Location: The single family attached dwellings will be located on the southwest side of Eternal Rings Road and Iron Leaf Trail, identified as Parcel A on Tax Map 47, Grid No. 9 in the Sixth Election District of Howard County, Maryland.



Vicinal Properties:

This site is located in the "East Side Tract" of the Emerson project and is surrounded by the following:

North Side - To the north is Eternal Rings Road, a public road and further north is an undeveloped area of the Emerson project proposed for future employment use.

East Side - Located to the east is Iron Leaf Trail, a public road and further east is Emerson, Section 2, Phase 5A, developed with existing single family detached dwellings.

South Side - Located to the south is an undeveloped area of the Emerson project proposed for 37 new SFA units being processed under SDP-06-112 in conjunction with this SDP.

West Side - To the west is recorded Open Space Lot 2 dedicated to the Emerson Homeowner's Association and containing a forested tributary to the Hammond Branch.

Site History:

- **ZB Case No. 979M** for the establishment of the Emerson (Key Property) MXD Preliminary Development Plan and Development Criteria approved September 3, 1998.
- **PB Case No. 339**, Comprehensive Sketch Plan (CSP) and Development Criteria approved by the Planning Board on July 1, 1999.
- **S-99-12**, Sketch Plan for the entire Emerson (Key Property) MXD project received signature approval from DPZ on September 1, 1999.
- **PB Case No. 359**, Amended Comprehensive Sketch Plan approved by the Planning Board on May 2, 2002. The amended CSP was limited to a revision of the annual development phasing chart relating to the time sequence for completion of the East and West Loop Road connections for the project.
- **WP-05-24**, Waiver Petition was approved by DPZ on October 29, 2004 for a waiver of the Preliminary Plan requirement for Emerson, Section 2, Phase 7.
- **F-05-93**, Final Plan to establish Emerson, Section 2, Phase 7, Bulk Parcels A and B was recorded on August 25, 2005.

Site Analysis:

Site Improvements - This SDP proposes the construction of 40 SFA residential dwelling units and other related site improvements. Each of the SFA units will accommodate their required two off-street parking spaces within their garages. A total of 92 parking spaces are required for these units (40 units x 2 spaces each = 80 spaces + .3 spaces per unit for overflow and visitors = 12 spaces). A total of 155 parking spaces are provided within the two car garages and their driveways with an additional 35 spaces provided as common on-street parking spaces for a total of 190 provided parking spaces. The maximum mean height requirement for SFA residential dwelling units per the Emerson Development Criteria is 50 feet high. The proposed SFA units have a mean height of 30 feet.

Storm Water Management (SWM) - Storm water management for this project is provided in a SWM facility constructed under Final Plan, F-04-53.

Environmental Considerations - There are no 100 year flood plain, wetlands, streams or buffers located within the residential lots. However, there is a flood plain, perennial stream and 75' stream buffer located nearby in the adjacent Open Space Lot 2, but this project does not disturb those environmental features.

Landscaping - The Landscape Plan for this project complies with the alternative compliance provision of the Howard County Landscape Manual and the Emerson Landscape Design Criteria requirements approved under the CSP, S-99-12. The Emerson Architectural Review Committee approved the proposed landscaping plan for this project in a letter dated January 8, 2007 (a copy of the approval letter is in the DPZ file).

Forest Conservation - This project previously addressed the forest conservation requirements of Section 16.1200 of the Howard County Code under the processing of Final Plan, F-05-49.

Adequate Public Facilities - This project passed the tests for road adequacy and open schools under the processing and approval of the CSP, S-99-12.

Development Criteria - This SDP requires approval from the Planning Board for setback adjustments of the required Emerson Development Criteria approved under S-99-12 and PB Case No. 339, as follows:

Setback Requirements

The following minimum setbacks are required by the Emerson Development Criteria:

- Front Setback - 5 feet from the right-of-way or property line to the house or garage.
- Side Setback - 5 feet from the property line for end units.
- Rear Setback - 15 feet from the property line.
- Between Structures - The minimum setback spacing distance between SFA units is 30 feet for front to front orientation, 50 feet for back to back or front to back orientation and 15 feet for all other orientations.

The Planning Board's approval is required for the following setback reductions:

1. A reduction of the spacing setback between structures for a back to back orientation for Unit 9 to Unit 19 from 50 feet to **43.7 feet** and between Unit 10 to Unit 18 from 50 feet to **45.5 feet**.
2. A reduction of the rear setback for Unit 26 to the rear project boundary line from 15 feet to **13 feet**.

Planning Board Criteria for Adjustments to Bulk Requirements:

The proposed adjustments to the Emerson Development Criteria can be granted by the Planning Board if the following three criteria items of Section 127.F.4.d. of the Zoning Regulations are satisfied:

1. The adjustment is in harmony with the purpose of the MXD District.

The proposed setback adjustments are in harmony with the purpose for the MXD Zoning District to allow design flexibility for a well designed community compatible with surrounding neighborhoods and protective of the environment. The proposed residential dwellings are sited to provide sufficient space to park at least one car in front of the garage without impeding the adjacent sidewalk or street. To accomplish this, driveways that provide access to an individual dwelling unit shall be at least 18 feet long measured from the garage front to the edge of the sidewalk in accordance with Section 133.C.4 of the Howard County Zoning Regulations.

2. The adjustment will not alter the essential character of the neighborhood or district, will not impair the appropriate use or development of adjacent property and will not be detrimental to the public welfare.

The location for the proposed SFA dwelling units will not alter the essential character of the neighborhood or district, will not impair the use or development of adjacent properties and will not be detrimental to the public welfare. The rear building setback adjustments are essential to accommodate the proposed house types and to provide the required 18 foot long driveway parking spaces for Units 19 and 26. Proposed Unit 26 backs directly to an adjoining protected open space lot and Units 9, 10, 18 and 19 have sufficient setback spacing remaining between the units to accommodate rear yard deck or patio areas.

3. The adjustment is needed due to practical difficulties or unnecessary hardships which arise in complying strictly with the Development Criteria or results in a better design than would be allowed by strict compliance with the Development Criteria.

The purpose for the setback adjustments are to maintain a consistent front setback relationship for the townhouse units to the public street throughout the entire project and to provide the required 18 foot long driveway parking spaces in front of the garage for Units 19 and 26 without impeding the pedestrian walkway located along the street.

Planning Board Criteria:

This SDP is in compliance with the five criteria requirements of Section 127.F.2 of the Howard County Zoning Regulations as follows:

1. Is consistent with the approved Preliminary Development Plan (PDP), Comprehensive Sketch Plan (CSP) and Development Criteria.

The site design for the proposed SFA residential dwellings and associated site improvements are consistent with the approved PDP, CSP and Development Criteria requirements approved for the Emerson project.

2. Satisfies the applicable requirements of Section 127.E.3.

This SDP satisfies the applicable requirements of Section 127.E.3 of the Zoning Regulations which describes the Planning Board's approval decision of the CSP and the Development Criteria. The Planning Board approved the CSP and Development Criteria for the Emerson project under PB Case No. 339 on July 1, 1999.

3. Makes effective use of landscaping to provide buffers where needed and to enhance the site design.

The home builder proposes to install enhanced landscaping for each of the SFA lots at or above what is mandated by the approved PDP, CSP, the Howard County Landscape Manual and the Emerson Landscape Design Criteria. The Emerson Architectural Review Committee by their approval letter dated January 8, 2007 requires the planting of 2.2 shade trees per unit for this project (a copy of the approval letter is in the DPZ file). Therefore, together with the required streetscape planting along the public and private streets, the site design for the SFA lots will be enhanced with the planting of a variety of shade, flowering and evergreen trees throughout the project to create an attractive landscaped environment for the community.

4. Provides squares, plazas or other useable landscaped areas within apartment developments, office developments or focal points.

This SDP will provide the landscaping and other site amenities including street lighting, street trees and pedestrian sidewalks as part of the development of these townhouse units. The main focal point and other useable landscaped areas will be provided in accordance with the approved PDP, CSP and other approved or future site development plans for this project.

5. Implements the pedestrian circulation system for the MXD Use Development.

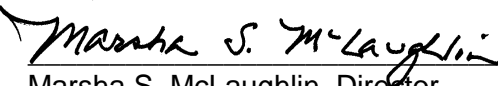
This SDP in conjunction with approved final road construction plans and other approved or future SDP's will provide the pedestrian circulation system including sidewalks, pathways and crosswalks for the Emerson project. Sidewalks will be provided on both sides of all public and private streets adjacent to the proposed townhouse units in accordance with approved final plans and this SDP.

SRC Action:

On November 28, 2006, the Subdivision Review Committee (SRC) determined this SDP to be technically complete, subject to compliance with their comments. The SRC comments primarily addressed the need to make minor drafting revisions to the SDP prior to signature approval by DPZ.

Please note that this file is available for public review at the Department of Planning and Zoning's public service counter, Monday through Friday, 8:00 a.m. to 5:00 p.m.

Recommendation: The Department of Planning and Zoning recommends that the Planning Board approve this SDP, subject to compliance with the SRC agency comments issued for SDP-06-113.


Marsha S. McLaughlin, Director
Department of Planning and Zoning

1/27/07

Date